

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

3 Gannett Drive, White Plains, NY 10604 Tel: (914) 323-7000 Fax: (914) 323-7001

*New York • Los Angeles • San Francisco • Washington, DC • Newark • Philadelphia • Baltimore • Miami • Chicago • White Plains, NY
Dallas • Albany, NY • San Diego • Houston • Garden City, NY • Boston • McLean, VA • Stamford • London
Affiliate Offices: Paris • Berlin • Cologne • Frankfurt • Munich*

www.wemed.com

Thomas.Leghorn@wilsonelser.com

November 13, 2006

VIA REGULAR MAIL

Hon. Judge E. Thomas Boyle
Alphonse M. D'Amato Federal Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: Caprino & Armstrong v. Cohen & Slamowitz *et al.*
Case No. : CV-05-4814
Our File No. : 00295.12352

Honorable Judge Boyle:

We are writing in response to Joseph Mauro, Esq.'s letter to the Court dated November 8, 2006. This firm agrees that a further conference before the Court may be necessary in light of the events outlined in the letter of Sally Keenan, Esq. relative to the affidavit and testimony of co-defendant, Kenneth Vega. Moreover, defendant, Cohen & Slamowitz does not consent to the dismissal of Kenneth Vega as a party to this lawsuit.

In response to this firm's objection to the production of Cohen & Slamowitz's finance manager for a deposition, attorney Mauro states only that "the plaintiff seeks punitive damages". As set forth in this firm's November 1, 2006 letter, however, this is highly confidential information and is wholly irrelevant unless and until there is a finding of liability against Cohen & Slamowitz. In addition, the term "finances" is a vague term subject to many different interpretations. Additionally, "finances", however it is defined, are not a subject of this litigation nor is it a relevant or appropriate topic for a deposition of Cohen & Slamowitz.

Moreover, the plaintiff has not offered any legitimate response relative to this firm's objections to the scope and repetitive nature of the plaintiffs' deposition notices. Accordingly, with this letter Cohen & Slamowitz is requesting a protective order relative to the issues raised in its November 1, 2006 letter to Joseph Mauro (a copy of which is attached for the Court's review).

Honorable E. Thomas Boyle

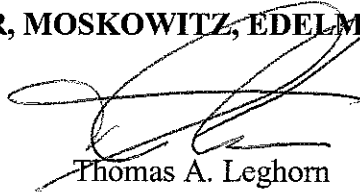
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If any additional information is required with respect to the issues discussed above, please do not hesitate to contact us.

Very truly yours,

WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP

A handwritten signature in black ink, appearing to read 'T. Leghorn', is written over the firm name.

Thomas A. Leghorn